

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-6 and 8-10 are pending. Claim 7 was previously canceled. Claims 1, 3, 5, and 9 are amended. Claims 1, 3, and 5 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment was not presented at an earlier date in view of the fact that the Applicants did not fully appreciate the Examiner's rejection.

Claim Objection

The Examiner has objected to claims 5, 6, and 9 because of informalities. In order to overcome this objection, claims 5, 6, and 9 are amended herein in order to correct the issue pointed out by the Examiner. Withdrawal of the objection is respectfully requested.

Rejections Under 35 U.S.C. § 102(b) and § 103(a)

Claims 1, 3, and 9 stand rejected under 35 U.S.C. §102(b) as being unpatentable over to Yamamoto et al. (JP 62192196);

Claims 2 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over to Yamamoto et al. in view of O'Connell (U.S. 5,743,646);

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al.;

Claims 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. in view of O'Connell; and

Claims 8 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al.

These rejections are respectfully traversed.

Amendments to Independent Claims 1, 3, and 5

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, independent claim 1 is amended herein to recite a combination of elements directed to a water temperature sensor, including

a hollow chamber cap having a flat, disc-shaped upper side,
the temperature measuring part being mounted in a seating portion of the hollow chamber cap, wherein neither the water gauge chamber nor the hollow chamber cap project below a bottom side of the outer tub.

Further, independent claim 3 is amended herein to recite a combination of elements directed to a water temperature sensor, including

hollow chamber cap having a flat, disc-shaped upper side,

wherein an entire upper surface of the flat, disc-shaped upper side of the hollow cap is exposed to the water in the water gauge chamber.

In addition, independent claim 5 is amended herein to recite a combination of elements directed to a water temperature sensor, including an outer tub of a washing machine having a bottom that is substantially flat, a side that is substantially cylindrical in shape, and a truncated conical-shaped portion between the bottom and the side;

a water gauge chamber extending along a portion of an outer surface of the cylindrical-shaped side and the truncated conical-shaped portion of the outer tub; and

a hollow chamber cap, located on a bottom edge of the water gauge chamber in a position such that an upper surface of the hollow chamber cap makes no contact with the cylindrical side or the truncated conical-shaped portion of the outer tub.

Support for the combination of elements as set forth in each of independent claims 1, 3, and 5 can be seen in FIGS. 1 (a) and (b).

Applicants respectfully submit that the combination of elements set forth in each of independent claims 1, 3, and 5 is not disclosed or made obvious by the prior art of record, including Yamamoto et al., and O'Connell.

For example, as can be seen in FIGS. 2 and 3 of Yamamoto et al., this document merely discloses an irregular-shaped top surface of cap 17 being partially obscured by and making direct contact with cylindrical wall 2. Further, cap 17 projects below the tub bottom.

Therefore, Yamamoto et al. fail to suggest
a hollow chamber cap having a flat, disc-shaped upper side,
the temperature measuring part being mounted in a seating portion of the hollow chamber cap, wherein neither the water gauge chamber nor the hollow chamber cap project below a bottom side of the outer tub (as set forth in claim 1), or

a hollow chamber cap having a flat, disc-shaped upper side,
wherein an entire upper surface of the flat, disc-shaped upper side of the hollow cap is exposed to the water in the water gauge chamber (as set forth in claim 3).

Further, FIGS. 2 and 3 indicate that Yamamoto et al. merely disclose a lower portion of the tub having steps and the cylindrical outer wall of the tub extending downward so as to make direct contact with the top of the cap.

Therefore, Yamamoto et al. fail to suggest

an outer tub of a washing machine having a bottom that is substantially flat, a side that is substantially cylindrical in shape, and a truncated conical-shaped portion between the bottom and the side;

a water gauge chamber extending along a portion of an outer surface of the cylindrical-shaped side and the truncated conical-shaped portion of the outer tub; and

a hollow chamber cap, located on a bottom edge of the water gauge chamber in a position such that an upper surface of the hollow chamber cap makes no contact with the cylindrical side or the truncated conical-shaped portion of the outer tub (as set forth in claim 5).

O'Connell cannot make up for the deficiencies of Yamamoto et al.

Thus, at least for the reasons described above, the Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 3, and 5 is not disclosed or made obvious by the prior art of record, including Yamamoto et al. and O'Connell.

In view of the above amendments and arguments, independent claims 1, 3, and 5 are in condition for allowance. In addition, the dependent claims are in condition for allowance due to their dependence on allowable independent claims, or due to the novel features contained therein.

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Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) are respectfully requested.

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CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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